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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/601,223	06/20/2003	William C. Emerson	D/A0623	8971

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ROCHESTER, NY 14644

EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 12/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/601,223

Applicant(s)

EMERSON ET AL.

Examiner

Mylinh Tran

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06/20/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>05/15/06</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by

Hayakawa [US. 6,741,268].

As to claim 1, Hayakawa teaches a computer implemented method and corresponding apparatus for an automatic tab displaying and maximum tab storing UI assembly comprising the steps/means for:

a display device including: a plurality of selectable screens each having a different user interactive information set and a screen selection tab (figure 5, column 11, lines 13-40), each said screen selection tab having a visible outline, a first surface size, and tab identification markings (figure 7, column 11, lines 22-55); a first display area for displaying at least one screen of said plurality of selectable screens (figure 20, column 16, lines 46-65); and at least a second display area for containing all said selection tabs of said plurality of selectable screens, said at least second area having a second surface size less than a

sum total of each of said first surface size of each of said selection tabs (column 17, line 50 through column 18, line 5), a first display portion for displaying a first set of said selection tabs in an open mode showing fully a visible outline and identification markings of each tab in said first set (column 20, lines 8-50), and at least a second display portion for displaying at least a second set of said selection tabs in a folded mode showing only part of said visible outline of each tab in said at least second set (figure 7); and a programmable controller assembly connected to said display device and including tab manipulation means (column 11, lines 13-40), said tab manipulation means being programmed for automatically moving said selection tabs in said at least second display area in a first direction from said open mode towards said folded mode (column 20, lines 22-50), and in a second direction from said folded mode towards said open mode; thereby enabling said at least second display area to contain and intuitively fully display more selection tabs than can ordinarily be fully displayed therein (column 16, lines 25-65).

As to claim 2, Hayakawa teaches at least second display area having at least a third portion for displaying, in full first surface size, at least one selection tab of at least one screen of said plurality of selectable screens, said at least one screen being displayed in said first display area (figure 20, column 16, line 65 through column 17, line 11).

As to claim 3, Hayakawa also teaches markings of each selection tab including descriptive text information (figure 20, Tab "1", Tab '2").

As to claim 4, Hayakawa teaches at least second display area including a transition portion within which in going from said at least second portion to said first portion, selection tabs show more and more of said first surface size thereof of each, and more and more outline of each selection tab therein (column 16, line 65 through column 17, line 11).

As to claim 5, Hayakawa teaches at least second display area, adjacent selection tabs moving by sliding over and under each other respectively (figures 8A-B).

As to claim 6, Hayakawa also teaches the tab manipulation means including a pointing device (column 9, lines 24-45).

As to claim 7, Hayakawa teaches said tab manipulation means including a tab selection device (column 9, lines 24-45).

As to claim 8, Hayakawa also teaches at least second display area comprising a vertically narrow and horizontally elongate area (figure 12, column 10, lines 37-65).

As to claim 9, Hayakawa teaches selection tabs, located further and further away within said at least second portion from said first portion, being overlapped to a greater and greater degree by adjacent selection tabs than are selection tabs located towards said first portion (figure 20, column 10, lines 18-45).

As to claim 10, Hayakawa teaches said visible outline of said each selection tab including a horizontal top line and generally vertical end line connecting said top line (column 10, lines 37-65).

As to claim 11, Hayakawa teaches said each screen selection tab being located relative to an edge of its selectable screen, and being movable from one end towards the other along said edge (figure 20).

As to claim 12, Hayakawa teaches all selection tabs contained within said at least second display area comprising a row (figure 12).

As to claim 13, Hayakawa teaches each said selectable screen being a touch sensitive video screen (column 5, lines 30-40).

As to claim 14, Hayakawa teaches said display screen being controlled by a

point and click device (column 5, lines 30-40).

As to claim 15, Hayakawa teaches after selection of at least one selection tab of said at least one screen, said at least third portion overlays and partially hides a part of said first portion (figure 20).

As to claim 16, Hayakawa teaches said at least one selection tab displayed in said at least third portion being ocludable by any other selection tabs being moved by said manipulation means within said at least second display area (column 18, lines 15-30).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the

time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hayakawa [US. 6,741,268] in view of Hong [US. 7,079,166].

Hayakawa teaches a computer implemented method and corresponding apparatus for an automatic tab displaying and maximum tab storing UI assembly comprising the steps/means for:

a display device including: a plurality of selectable screens each having a different user interactive information set and a screen selection tab (figure 5, column 11, lines 13-40), each said screen selection tab having a visible outline, a first surface size, and tab identification markings (figure 7, column 11, lines 22-55); a first display area for displaying at least one screen of said plurality of selectable screens (figure 20, column 16, lines 46-65); and at least a second display area for containing all said selection tabs of said plurality of selectable screens, said at least second area having a second surface size less than a sum total of each of said first surface size of each of said selection tabs (column 17, line 50 through column 18, line 5), a first display portion for displaying a first set of said selection tabs in an open mode showing fully a visible outline and identification markings of each tab in said first set (column 20, lines 8-50), and at least a second display portion for displaying at least a second set of said



selection tabs in a folded mode showing only part of said visible outline of each tab in said at least second set (figure 7); and a programmable controller assembly connected to said display device and including tab manipulation means (column 11, lines 13-40), said tab manipulation means being programmed for automatically moving said selection tabs in said at least second display area in a first direction from said open mode towards said folded mode (column 20, lines 22-50), and in a second direction from said folded mode towards said open mode; thereby enabling said at least second display area to contain and intuitively fully display more selection tabs than can ordinarily be fully displayed therein (column 16, lines 25-65).

Hayakawa fails to clearly teach a digital image printing machine for producing toner images on copy sheets, the electrostatographic reproduction machine comprising: a moveable image bearing member having an image bearing surface; means for forming a toner image on said image bearing surface and for transferring said toner image onto a copy sheet of paper; and an automatic tab displaying and maximum tab storing UI. However, Hong teaches the digital printing machine at figure 5B, column 5, lines 14-45. It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Hayakawa with the digital image printing machine of Hong. Motivation of the combination would have been to provide a interface for a printer for those who might need.

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As to claim 18, Hayakawa teaches said at least second display area having at least a third portion for displaying, in full first surface size, at least one selection tab of at least one screen of said plurality of selectable screens, said at least one screen being displayed in said first display area (figure 20, column 16, line 65 through column 17, line 11). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Hayakawa with the digital image printing machine of Hong. Motivation of the combination would have been to provide a interface for a printer for those who might need.

As to claim 19, Hayakawa teach said identification markings of each selection tab including descriptive text information (figure 20, Tab "1", Tab "2"). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Hayakawa with the digital image printing machine of Hong. Motivation of the combination would have been to provide a interface for a printer for those who might need.

As to claim 20, Hayakawa teaches said at least second display area including a transition portion within which in going from said at least second portion to said first portion, selection tabs show more and more of said first surface size thereof of each, and more and more outline of each selection tab therein (column 16, line 65 through column 17, line 11). It would have been obvious to

one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Hayakawa with the digital image printing machine of Hong. Motivation of the combination would have been to provide a interface for a printer for those who might need.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

  
BA HUYNH  
PRIMARY EXAMINER